

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

RETHINK35, TEXAS PUBLIC
INTEREST RESEARCH GROUP, AND
ENVIRONMENT TEXAS,
Plaintiffs,

V.

TEXAS DEPARTMENT OF
TRANSPORTATION; AND MARC D.
WILLIAMS, IN HIS OFFICIAL
CAPACITY AS EXECUTIVE
DIRECTOR OF THE TEXAS
DEPARTMENT OF
TRANSPORTATION,
Defendants.

CIVIL ACTION NO. 1:22-cv-00620-LY

**CERTIFICATION OF ADMINISTRATIVE RECORDS
DECLARATION OF DOUG BOOHER**

I, Doug Booher, declare as follows:

1. I am the Director of the Environmental Affairs Division of the Texas Department of Transportation (TxDOT). I have served in my Division Director role since 2021, and before that I served in the role of Deputy Director of the Environmental Affairs Division since 2012. I have been responsible, with others, for assembling the Administrative Records for the Findings of No Significant Impact for the Capital Express North and South Projects (Projects), that are the subject of this litigation.


2. Attached to this Declaration as Exhibit 1 is the Index for the North Project Administrative Record that contains Bates numbers ARN.1 through ARN.6591. The documents in the North Project's Administrative Record were considered, directly or indirectly, by TxDOT in issuing its decision on the North Project. Also attached to this Declaration as Exhibit 2 is the Index for the

South Project Administrative Record that contains Bates numbers ARS.1 through ARS.3625. The documents in South Project's Administrative Record were considered, directly or indirectly, by TxDOT in issuing its decision on the South Project. Each document is a true and correct copy of the original documents located in the files for the Projects. Both the North and South Projects' entire Administrative Records are contained on one flash drive.

3. The Administrative Records are comprised of Bates-numbered, word-searchable portable document format (PDF) documents. The Indices and electronic copies of all documents in the Administrative Records are collected and saved onto one flash drive. Two identical flash drives are being delivered to the Clerk's office, one of which will be routed to Judge Yeakel's Chambers by the Clerk, and one flash drive is being delivered to counsel.

4. I certify under penalty of perjury that the foregoing is true and correct to the best of my knowledge and I would so testify if called upon to do so in a court of law.

Dated this 10 day of November 2022.


DOUG BOONER
Director, Environmental Affairs Division
Texas Department of Transportation